



6-04-04

Attorney Docket No.

028750-219

Patent

RCE  
1638  
Jew

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Randy Dinkins et al.

Application No.: 10/067,989

Filing Date: February 8, 2002

Title: TRANSGENIC PLANTS EXPRESSING MinD OR MinE AND AN EFFICIENT METHOD FOR PLANT CHLOROPLAST TRANSFORMATION AND GENE EXPRESSION

MAIL STOP: RCE

Group Art Unit: 1638

Examiner: ANNE R KUBELIK

Confirmation No.: 9928

REQUEST FOR CONTINUED EXAMINATION  
TRANSMITTAL LETTER

## MAIL STOP RCE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Customer Number 21839

Sir:

Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the  
 \$385.00 (2801)  \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).

1.  A. Applicant(s) requests that any previously unentered after final amendments not be entered.  
Continued examination is requested based on the enclosed documents identified in item 2 below.

B. Applicant(s) previously submitted the following documents for which continued examination is requested:

Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_

Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. The following documents are enclosed with this submission:

Amendment/Reply. 06/07/2004 MAHMED1 00000057 024800 10067989  
 Affidavit(s)/Declaration(s). 01 FC:2801 385.00 DA  
 Information Disclosure Statement (IDS).  
 A Petition for Extension of Time.  
 Other: Notice of Appeal  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3.  Small entity status is hereby claimed.  
 No additional claim fee is required.  
 The fee is calculated below on the basis of the highest number of claims already paid for in this application prior to this submission:

| CLAIMS  |                  |   |              |                    |                  |
|---|------------------|---|--------------|--------------------|------------------|
|   | No.<br>of Claims | Highest No. of<br>Claims Thus<br>Paid For | Extra Claims | Rate               | Fee              |
| Basic Application Fee (1001)  |                  |   |              |                    | \$ 770.00        |
| Total Claims  |                  | MINUS =                                   | 0            | x \$18.00 (1202) = | \$ 0.00          |
| Independent Claims  |                  | MINUS =                                   | 0            | x \$86.00 (1201) = | \$ 0.00          |
| If Amendment adds multiple dependent claims, add \$290.00 (1203)                                      |                  |   |              |                    |                  |
| Total Fee   |                  |   |              |                    | \$ 770.00        |
| <input checked="" type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Amendment Fee |                  |   |              |                    | \$ 385.00        |
| <b>TOTAL FEE DUE</b>  |                  |   |              |                    | <b>\$ 385.00</b> |

4.  A check in the amount of \_\_\_\_\_ is enclosed for the fee due.  
 5.  Charge \$ 385.00 to Deposit Account No. 02-4800 for the fee due.  
 6.  Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.  
 7.  Applicant(s) requests suspension of action by the Office until at least \_\_\_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

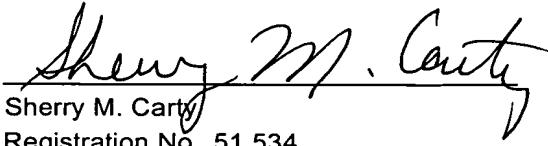
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

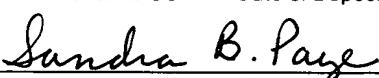
P.O. Box 1404  
 Alexandria, Virginia 22313-1404  
 (919) 941-9240

Filed: June 3, 2004

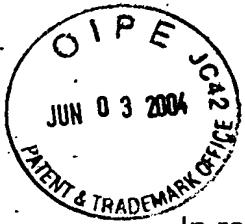
By   
 Sherry M. Cart  
 Registration No. 51,534

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

"Express Mail" Mailing Label No.: EV 171049375 US Date of Deposit: June 3, 2004

  
 Sandra B. Paye

Typed Name:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of ) **MAIL STOP RCE**  
Randy DINKINS et al. )  
Application No.: 10/067,989 ) Group Art Unit: 1638  
Filed: February 8, 2002 ) Examiner: Anne R. Kubelik  
For: TRANSGENIC PLANTS ) Confirmation No.: 9928  
EXPRESSING MinD OR MinE AND )  
AN EFFICIENT METHOD FOR )  
PLANT CHLOROPLAST )  
TRANSFORMATION AND GENE )  
EXPRESSION )

**SUBMISSION UNDER 37 C.F.R. § 1.114(c)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 3, 2003, and the Advisory Action mailed April 14, 2004, please amend the above-identified patent application as follows. A one-month extension of time was paid on April 5, 2004, and an additional two-month extension of time has been requested and the corresponding fee paid extending the time period of response until June 3, 2004.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks** begin on page 8 of this paper.